

EXHIBIT 11

Vlad Che <dev@develup.pro>

2/25/2025 1:36 PM

Re: Apple Inc. (our ref# APP227350) Notice of Complaint

To appstorenotices <appstorenotices@apple.com> Copy devup2012@gmail.com • dimanovik1989@gmail.com • kuzhelod@gmail.com • sermiasnik@gmail.com • vc@develup.pro • info@kennetheade.com

Dear Apple Legal Team,

We are writing in response to the copyright complaint (Ref# APP227350) filed by Vyacheslav Shirokov (Rail Ninja).

1. The Claim is Misleading & Lacks Legal Basis

- While one of our developers previously worked on Rail Ninja's app, this does not mean that any source code or intellectual property was copied.
- The Rail Monsters app was built from scratch, with entirely original code and does not contain any material from Rail Ninja.

2. No Exclusive Rights Were Assigned to Rail Ninja

- The developer did not have any contractual obligation (such as a work-for-hire agreement, NDA, or IP assignment) preventing them from working on other train ticketing apps.
- Without such a contract, their claim has no legal foundation under copyright law.

3. Copyright Law Does Not Apply to Their Claim

- General app functionality (e.g., booking train tickets, notifications, search filters, etc.) is not copyrightable.
- They have not provided any proof of copied source code because none exists.
- Even if they had a claim, they would need to show exact source code similarities, which they have failed to do.

4. This is an Anti-Competitive Attack, Not a Real Copyright Issue

- The same individual (Vyacheslav Shirokov) has also filed a fraudulent trademark application for "Rail Monsters" (USPTO Serial No. 99054034) in an attempt to block our business.
- This complaint appears to be part of a coordinated effort to eliminate competition rather than protect legitimate intellectual property.

5. We Request Apple to Dismiss This Claim

- Since no actual copyright infringement has occurred, we kindly request Apple to reject this baseless complaint.
- We are prepared to provide documentation proving that our app was developed independently if required.

Please confirm that our response has been received and that no action will be taken against our app based on this unfounded claim.

вт, 25 февр. 2025 г. в 19:38, appstorenotices <AppStoreNotices@apple.com>:

****Please include APP227350 in the subject line of any future correspondence on this matter as failure to do so may prevent our system from properly recording your response.****

Hello,

On 2/25/2025, we received a notice from Vyacheslav Shirokov (Kenneth Eade Attorney at Law) ("Claimant") that Claimant believes the app listed below infringes its intellectual property rights. In particular, Claimant believes you are infringing its copyright. Please see their comments below.

Developer: DEVELOP PE
Provider: DEVELOP PE
App Title: Rail Monsters: Train Tickets
Apple ID: 6472889448

Comment: The source code used for the app is identical to the copyrighted source code on the rights owner's original app, Rail Ninja (which went into service in 2023), and was obtained illegally by the developer, who also assisted the copyright holder in developing the app as a work for hire.

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You can reach Claimant through Kenneth Eade (email: info@kennetheade.com), copied on this email. Please exchange correspondence directly with Claimant.

We look forward to receiving written assurance that your application does not infringe Claimant's rights, or that the parties are taking steps to promptly resolve the matter. Please keep us apprised of your progress.

Please note that during the course of this matter:

1. Correspondence to Apple must include the reference number noted above in the subject line and copy the other party. All correspondence sent to Apple may be shared with the other party.
2. Written assurance of rights may include confirmation that your application does not infringe Claimant's rights, an express authorization from Claimant, or other evidence acceptable to Apple, and should include documentation wherever possible.
3. Should you choose to remove your application (for example, while you make any necessary changes), visit App Store Connect at <https://appstoreconnect.apple.com> and access your app in the Manage Your Application module.
 - Access your app in the "My Apps" module
 - Click on the "Pricing and Availability" tab from the App Summary Page and select "Edit" by "Availability"
 - Select and deselect "All" territories to uncheck all App Store territories
 - Click on the "Done" button

4. Developers with a history of allegations of repeat infringement, or those who misrepresent facts to Apple and/or the Claimant are at risk of termination from the Developer Program.

5. Failure to respond to the Claimant or to take steps toward resolving a dispute may lead to removal of the app(s) at issue as in violation of the App Store Review Guidelines and/or the iOS Developer Program License Agreement. Please keep Apple apprised of your progress.

Thank you for your immediate attention.

Sincerely,

Zelda

🍏 Apple Legal | Apple | One Apple Park Way Cupertino, CA 95014 |

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